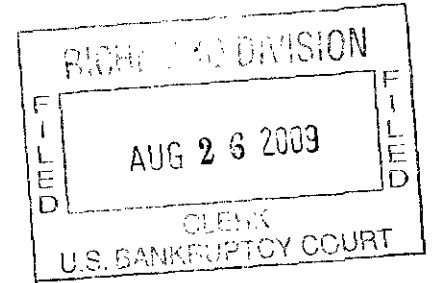


UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division



In re:) Chapter 11
)
CIRCUIT CITY STORES, INC., <u>et al.</u> ,) Case No. 08-35653
)
Debtors.) Jointly Administered
)
<hr/>	
Ashley Isaac, <i>pro se</i> , ON BEHALF OF HERSELF)
)
Movant,)
)
v.)
)
CIRCUIT CITY STORES, INC.,)
)
Debtor.)

**MOTION TO OPPOSE THE DEBTORS RESPONSE AND OBJECTIONS
TO ASHLEY ISAAC'S AMENDED MOTION FOR RELIEF FROM AUTOMATIC
STAY**

Comes Now the Movant, **Ashley Isaac** in the above style and respectfully files this Motion to Oppose the Defendant's, **Circuit City Stores, INC.'s**, Objection To The Movant's Motion.

1. In May of 2008 the Movant, Ashley Isaac, filed a charge with the United States Equal Employment Opportunity Commission (E.E.O.C.) against the "Debtor" Circuit City Stores, Inc. for sexual harassment/discrimination. Ms. Isaac could not file a claim or take any action against the Debtor without a "Right To Sue Letter" from the E.E.O.C. Ms. Isaac receive the "Right To Sue" on or about March 23rd, 2009. Ms. Isaac filed a lawsuit against on May 13, 2009 against the Debtor. At the time Ms. Isaac was unaware of the deadline for filing a claim against Circuit City, and until this day, August 25th 2009 Ms. Isaac has not received the deadline for filing from Circuit City Stores, Inc. Ms. Isaac did file a proof of claim against the Debtor in July 24th, 2009 after receiving a copy of the formal notice by subpoena from the E.E.O.C. According to Rule 9006 (b)(1) of the Federal Rules of Bankruptcy Procedure, this Court has jurisdiction to accept this claim, therefore the Movant respectfully prays that this Court allow and consider it an *excusable neglect*.

2. In July 2009 The Honorable Judge William M. Acker stayed and **dismissed without prejudice** the action against Circuit City in, Federal Court, because of their bankruptcy status and their failure to respond to the summons.

3. The Debtor claims that they were not served with the plaintiff's (Ashley Isaac's) complaint yet, The United States District Court For The Northern District Of Alabama, Southern Division shows that the complaint and summons were served upon Circuit City Stores, Inc. by their registered agent in the state of Alabama. According to the government records of the Alabama Secretary of State the registered agent of Circuit City Stores, Inc. is Prentice Hall Corporation System, Inc. located at 150 South Perry Street, Montgomery, Alabama 36104.

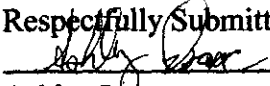
4. The Debtor claims that the plaintiff will not suffer from the automatic stay not being lifted. On the contrary, the plaintiff has and is still suffering from social inadequacy, depression, and anxiety because of the Debtors failure to prevent harassment directed towards her. As a result the Movant has suffered undue hardship by losing another job due to her depression, a decrease in school performance, a decrease in job performance with the Debtor, and mental anguish. Due to the causes stated above Ms. Isaac has lost: (a) years of future income from her other job, and (b) school credits and as a result has occurred additional debt, Ms. Isaac is still haunted by the Debtors and their servants actions.

5. The Debtor will suffer no *undue burden or hardship* compared to the burden of the Movant. The debtor's recovery may take the maximum a few years, whereas the Movant will spend her entire life recovering from the hardship she suffers from, if the stay is not lifted and she is not given a chance to prove her case in a Court of law. The Debtor has also failed to serve the Movant with a copy of their objection to Ms. Isaac's Motion For Relief. Denying the Movant's Motion For Relief Of Stay would deny her due process and prejudice her case. The Movant seeks relief from the stay limited to insurance funds (whether the Debtor was self-insured or insured by a separate agency). Granting the Movant relief will not disrupt or alter the Debtors' Chapter 11 bankruptcy.

WHEREFORE, Premises Considered, for the foregoing reasons and for cause shown, Movant respectfully prays that this Court grants relief and:

- (a) Rule against the Debtors Objection.
- (b) Grants the movant additional relief as this Court deems just and proper.
- (c) Grant the Movant's Motion to Oppose the Defendant's, Circuit City Stores, Inc. Objection To The Movant's Motion.
- (d) Allow the late filing of the Movant's proof of claim and consider it an *excusable neglect*.

Respectfully Submitted


Ashley Isaac, pro se